

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
Case No. 3:12-cv-00462-MOC-DSC

**JOHN TOTURA and JACQUELYN
TOTURA, Individually and on behalf of
all others similarly situated,**

Plaintiffs,

v.

**BANK OF AMERICA, N.A., individually
and as successor by merger to BAC
HOME LOANS SERVICING, LP;
BALBOA INSURANCE COMPANY;
and QBE AMERICAS, INC.,
individually and as successor in interest
to BALBOA INSURANCE COMPANY,**

Defendants.

NOTICE OF DISMISSAL

PLAINTIFFS John Totura and Jacquelyn Totura hereby give notice of the dismissal of this case without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(1), and ask the Court to enter an Order dismissing this case.

WHEREFORE, the Plaintiffs respectfully request that the Court enter an order dismissing this case without prejudice and for all other just and proper relief to which they are entitled.

Dated: November 9, 2012

Respectfully Submitted,

/s/ Sam McGee

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification to the following parties in this case:

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This the 9th day of November, 2012.

/s/ Sam McGee
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